

These Minutes are subject to possible revisions/corrections during their review
at a subsequent Planning Session or Board Meeting.

**CHESTER PLANNING SESSION MINUTES
WEDNESDAY, AUGUST 10, 2005**

Members Present:

Regular:

Maureen Lein, Vice Chair (ML)
Evan Sederquest (ES)
Scott Rice (SR)
Camilla Lockwood (CL)
Mike Weider (MW)

Staff:

Cynthia J. Robinson, Planning Coordinator (PC)

Absent:

Richard Snyder (RS)
Andrew Hadik (AH)

Presenters:

Tom Kady (TK)
Emile R. Bussiere, Esq. (EB)
Jeff Adler, Dubois & King (JA)

Public:

None.

CONTENT

1. Continued discussion with Tom Kady regarding the completion of the roadways in the Chester Brook Estates development.

August 10, 2005 - 7:30 PM

MINUTES

1. Discussion with Tom Kady regarding the completion of the roadways in the Chester Brook Estates development.

ML introduced Agenda Item #1 and invited Jeff Adler (JA) to present to the Board members.

ML addressed JA and asked to discuss his site walk at Chester Brook Estates. JA stated that there were basically two issues in Jeff's previous letter regarding the roadway, the erosion of side slopes and statement regarding 300 feet of guardrail for a section of the roadway.

JA stated that the side slopes and ditches are now filled in with stone. There was no evidence of erosion. The erosion that was occurring was along the shoulders and it wasn't so much the ditches. JA stated that he questioned TK about whether the ditches are still functioning since being filled in with stone. During the site walk there was no runoff, and JA wanted to make sure that water is still passing through. TK said that he has been out there and the ditches are working.

Regarding the need for guardrails, the side slopes in that area had been increased beyond the 3:1 that was shown on the plans. JA stated that Ken White, who was the contractor during the construction, was willing to install guardrails to mitigate that issue instead of continuing the side slopes out. Jeff agreed to this plan as long as it was acceptable guardrail, and this is reason Jeff continued to mention this issue in his letters. During the site walk, TK questioned the side slopes being outside the right-of-way of the road, but JA insisted that this is a safety issue and guardrails would be required on both sides of the road along that section of roadway.

ML questioned if there were additional issues. CL mentioned a driveway issue, and JA explained that a new driveway had been installed near the area where they were looking at for guardrail and a cut was made across the entranceway to check for the wire line. Therefore, drainage is being disrupted, and TK stated that this would be fixed in the near future.

ML asked for TK's comments. TK commented on the dimensions of the right-of-way and stated that there is a large safety clearance on either side of the roadway before dropping off. Also, TK told the Board that the roadway has been in use for almost five years and there have been no issues in the five-year period.

ML stated that she would like to have RS and AH present for the Board's final decision. Therefore, ML announced that Jeff's comments will be reviewed by the Board members and a decision will be made at the Board's next meeting. SR stated that he didn't see a need for further discussion and stated that there is a safety need for the guardrails.

SR made a motion that Chester Brook Estates Phase I and Phase II, Tom Kady be directed to follow the letter dated November 23, 2004 from Dubois & King. ES seconded the

motion. However, CL stated that she agrees that RS and AH have been the most experienced regarding this subject and opposed the motion. MW abstained. **The motion was not passed.**

Attorney Bussiere (EB) questioned what the Board needed to further discuss, and ML explained that the Board does need to discuss Jeff's comments and decide, with the Board members not in attendance tonight, what the resolution to these issues will be. ML also stated to EB that that Item #2 in Jeff's letter is an issue between TK and the homeowners' to resolve and Item #4 is an issue to finalize with Steve Luger (SL), both of which are still outstanding. PC stated that she spoke with SL and she understood a resolution to be nearly complete, but the Board has not yet received certification from SL. Further discussion was given to the issue regarding pin monuments. However, MW maintained that during the last meeting he stated that SL's letter was not stamped and once again directed TK to obtain a stamped certification. Further discussion with TK, ML, and PC involved the outstanding issues at present. PC explained that there are currently three outstanding issues: (1) with property owners, (2) with Steve Luger, and (3) with the Board. EB stated the ditches were built to specification when the development was completed, but PC stated past history is that the ditches have to be cleaned out prior to the road being turned over to the Town. EB asked if the Town will hold up the bond to get the ditch work completed. PC stated that if the work is completed and Jeff does the inspection and confirms in a letter that they are cleaned out, the Bond will be returned. PC explained that the Board will make the decision based on Jeff's letter. SR stated that the work has not been moved at a timely and productive pace. TK asked JA to identify the specific areas that he would like to have trimmed back so that this can be accomplished with the minimum amount of impact, and JA agreed. ML asked if TK was clear with the Board's expectations, and TK stated that he is clear except that he needs to have the areas designated by JA (regarding the ditch work).

PC stated the next meeting is scheduled for August 24, 2005. TK stated that he will be unavailable on August 24, but ML informed TK that the Board will address him via a letter and he does not need to be present.

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